

INVESTIGATION INTO THE PRACTICES OF THE NATIONAL
CLASSIFICATION COMMITTEE

Statement of Raynard F. Bohman Jr. in
Support of Continued Anti-Trust
Immunity for the National Classification
Committee

My name is Raynard F. Bohman Jr. I am a graduate of the Wharton School of Finance and Commerce at the University of Pennsylvania, where I majored in transportation.

Following service as an officer in the U.S. Army, where I served in the Transportation Corp., I have been in private practice as a transportation consultant representing national trade associations and individual companies. I also serve as the managing director of the International Furniture Transportation and Logistics Council, a world-wide organization of furniture transportation professionals.

I have been handling cases before the National Classification Committee and NCC Classification Panels for many, many years and am well acquainted with the changes in procedures that have come about over a long period of time.

Over the past several years, as a result of decisions by the former Interstate Commerce Commission and the current Surface Transportation Board, shippers have been given more advance notice of proposed changes in classification descriptions, ratings, shipping rules and packaging requirements. Whereas in the past NCC dockets were generally issued about 30 days prior to NCC Panel open meetings. By the time shippers received their dockets by mail, less than 30 days remained before the meeting. Other than subscribing to NCC dockets annually, there was no other way to learn about what was in the offing.

Today, NCC dockets are issued 60 days in advance, both on paper and on the Internet. Also, about a week later, a summary of the docket appears in TRANSPORT TOPICS magazine. Further, all known companies making a product affected by a proposal or review matter appearing on the docket are notified by mail by the NCC staff of its pendency. The NCC appears to be going out of its way to get the word out to those shippers who may have an interest in any docketed proposal.

The docket itself is now far more detailed than it ever was. In the past, the dockets contained present provisions and proposed revisions, but a minimum amount of factual information that as to the justification for a revision or new provision. Members of a Panel or the full NCC were given far more information ahead of time, but what was between the covers of those loose-leaf binders was confidential and was not to be shown to any affected shipper.

Today, just about everything affecting a proposal is released to the shipping public well in advance. Included is detailed information about the four transportation characteristics of a product or products as developed by the NCC staff. The dockets now include charts and sometimes pictures of the product or products, some as packaged for shipment. It gives all affected shippers an opportunity to see in advance how the transportation characteristics of their products compare with the characteristics of the products that the NCC staff developed. And you can get this information on the National Motor Freight Traffic Association web site, without charge, or on request it from the NCC staff, also without charge. Overall, shippers have far more information in hand before an NCC Panel meeting than they ever had in the past.

At the NCC quarterly Classification Panel meetings, they are conducted far more informally than they were in years past as a result of the arrangement of tables for seating of both Panel members and shippers who appear to speak on a particular subject. This setup has made shippers feel far less intimidated by the whole process than they were in the past.

Once a Panel completes deliberations on a particular subject, a vote is taken, the results of which are announced (and posted on a board) within a matter of minutes. And if any party wants to know how any individual Panel member voted on a particular subject, their names and how they voted are promptly communicated to them following a request by any interested party.

And if a shipper is a party of record and is not happy with a vote taken by a Panel on a particular subject, that shipper has the option of (1) requesting that the decision be subject to arbitration, or (2) be appealed to the full NCC at its next meeting. Just as an aside, I requested the last time the STB considered whether or not to continue the NCC's anti-trust immunity, that as an alternative to arbitration for appeals, that shippers be given the option of filing an appeal to the full NCC - a suggestion the STB adopted. (It is interesting to note here that since the STB gave shippers the option of arbitration as a means of appeal, not a single shipper has ever exercised the arbitration option. All appeals have been directed to the full NCC.)

All I can say is that since the last time STB reviewed whether the NCC's anti-trust immunity should be continued, the whole process has provided interested shippers with more factual information than they ever had before and has done so in a more timely manner. I have seen nothing to indicate that the full NCC or its Classification Panels have become less transparent in their dealings with the shipping public.

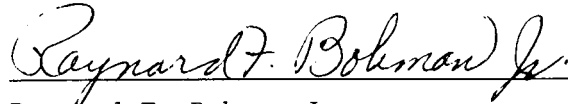
And where are most of the complaints coming from? In my view, they primarily come from shippers whose transportation characteristics have changed to the point where they no longer warrant the level of ratings they enjoy or have enjoyed for a number of years - ratings that don't meet the NCC's "Density Guidelines".

From what I have observed over the years is that the members of the NCC take their role very seriously and lean over backwards to try to resolve each proposal that comes before them in a fair and equitable manner, given the narrow parameters in which they are obligated to operate under. And they do so at the risk of having some shippers taking it out on their companies, as their votes can be made available on request.

I, for one, believe the NCC's anti-trust immunity should be continued. It's fair to both sides. Product transportation characteristics are changing in many industries and the NCC is just trying to keep up with them; to keep the NATIONAL MOTOR FREIGHT CLASSIFICATION current and viable.

This concludes my statement.

Respectfully submitted,



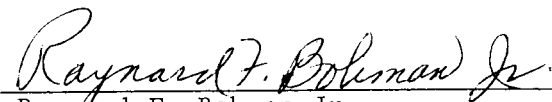
Raynard F. Bohman Jr.
President

Bohman Industrial Traffic Consultants, Inc.

Dated: December 7, 2005

CERTIFICATE OF SERVICE

I hereby certify that on this date - December 7, 2005, I have served a true copy of this statement on the National Classification Committee, 2200 Mill Road, Alexandria, VA 22314, by first class mail with proper postage affixed.


Raynard F. Bohman Jr.